

REMARKS

This application is amended in a manner believed to place it in condition for allowance at the time of the next Official Action.

Claims 18, 20, 24, 25, 31-35, 38 and 39 are amended. Support may be found generally throughout the originally filed application, for example, the original claims.

Claims 18-25, 30-48, 57 and 58 remain pending in the present application, with claims 22 and 25 being withdrawn.

Applicants acknowledge with appreciation the withdrawal of the species election requirement for the technical product. Applicants acknowledge that the Official Action maintains species election requirement for the formal and emission-reducing additive, i.e., N,N'-methylenebis (5-methyloxazolidine) was elected as the formal and urea was elected as the emission-reducing additive.

The Official Action objects to claims 18 and 20 for reciting a preservative and a process for preparing a preservative. The claims are now consistent with the dependent claims, which are directed to a preservative. Therefore, withdrawal of the objection is respectfully requested.

Claims 24, 31-35, 38 and 39 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite.

Applicants acknowledge with appreciation the Examiner's suggestions for amending these claims. Claims 24, 31-35, 38 and

39 are amended in a manner consistent with the Examiner's suggestion. Therefore, withdrawal of the rejection is respectfully requested.

Claims 18-21, 23, 24, 30-48, 57, and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over SMITH et al. U.S. 7,078,005 B2 (SMITH) over BEILFUSS et al. U.S. 2001/0021711 A1 (BEILFUSS). This rejection is respectfully traversed.

SMITH is offered for teaching an H₂S scavenger product comprising (a) a reaction product and (b) an amine, e.g., N,N'-methylene-bisoxazolidine. The reaction product is obtained from the reaction of a carbonyl group-containing compound, e.g., formaldehyde, and a compound, such as urea. The scavenger product may include at least 10% by weight of the N-formal in a water or alcohol solution.

BEILFUSS is offered for teaching N,N'-methylenebis (5-methyloxazolidine) as a formal for use as a bactericide.

The position of the Official Action is that it would have been obvious to include the N,N'-methylenebis (5-methyloxazolidine) because of its known bactericidal properties.

However, the proposed combination fails to teach the at least one formal and urea as an emission-reducing additive, i.e., urea being the elected species.

While SMITH does disclose urea, urea is a reactant used to form a reaction product, and the reaction product or products, not urea, is combined with the amine, e.g., N'-methylene-

bisoxazolidine. SMITH fails to disclose the presence of reactants in the reaction product. See, e.g., column 3, line 50 to column 4, line 56 and column 5, line 60 to column 6, line 57 of SMITH.

Accordingly, the proposed combination fails to teach the claimed invention for independent claims 18 and 20, and cannot render obvious claims 18 and 20, or dependent claims 19, 21, 23, 24, 30-48, 57, and 58.

Therefore, withdrawal of the rejection is respectfully requested.

Claims 18, 21, 23, 30 and 31 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 13 of U.S. 6,469,060 B2 (US '060). This rejection is respectfully traversed.

Claim 13 of US '060 includes an iodopropynyl compound, an N-formal, and at least one of several compounds, including emission-reducing additives. However, US '060 does not claim a formal and urea. Accordingly, US '060 does not render obvious the presently claimed invention. Therefore, withdrawal of the rejection is respectfully requested.

Claims 18, 21, 23, 30 and 31 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 8 of U.S. 6,355,679 (US '679). This rejection is respectfully traversed.

Claim 8 of US '679 includes an iodopropynyl compound, an N-formal, and at least one of several compounds, including

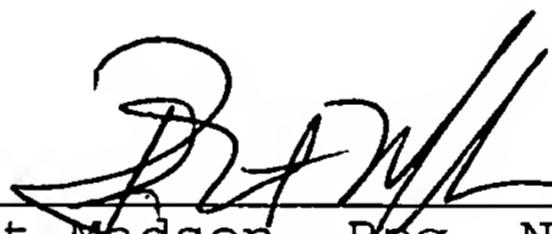
emission-reducing additives. However, US '679 does not claim urea. Accordingly, US '679 does not render obvious the presently claimed invention. Therefore, withdrawal of the rejection is respectfully requested.

In view of the amendment to the claims and the foregoing remarks, it is believed that the present application is in condition for allowance at the time of the next Official Action. Allowance and passage to issue on that basis is respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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